

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

KIMBERLY HERAS, ON BEHALF OF §
HERSELF AND ALL OTHERS SIMILARLY §
SITUATED, §

PLAINTIFFS, §

V. §

RAPID TAX, INC., RICHARD SOWELL, §
AND KIMBERLY J. SOWELL, §

DEFENDANTS. §

CIV. NO. 5:13-CV-498-DAE

JURY DEMANDED

ORDER

Pending before the Court is Plaintiff's Motion for Substituted Service on Defendant Richard Sowell (the "Motion"). After considering the pleadings, the Motion, any response thereto, the argument of counsel, and all legally competent evidence, the Court GRANTS Plaintiffs' motion.

Based on numerous previous but unsuccessful attempts to serve Defendant Richard Sowell, the Plaintiff asks that she be allowed to serve Richard Sowell either by leaving the Summons with a copy of the Complaint and this Order attached with anyone 16 years of age or older at 2324 Village Path, New Braunfels Texas 78130, by posting the Summons with a copy of the Complaint and this Order on Richard Sowell's front door at 2324 Village Path, New Braunfels Texas 78130, or by mailing the Summons with a copy of the Complaint and this Order to Richard Sowell via first class mail at 2324 Village Path, New Braunfels Texas 78130. The Court finds the Motion has merit and should be granted.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for Substituted Service on Defendant Richard Sowell is GRANTED such that Plaintiff is hereby authorized to serve Richard Sowell either by leaving the Summons with a copy of the Complaint and this Order attached with anyone 16 years of age or older at 2324 Village Path, New Braunfels Texas 78130, by posting the Summons with a copy of the Complaint and this Order on Richard Sowell's front door at 2324 Village Path, New Braunfels Texas 78130, or by mailing the Summons with a copy of the Complaint and this Order to Richard Sowell via first class mail at 2324 Village Path, New Braunfels Texas 78130.

It is so ORDERED.

SIGNED THIS ____ DAY OF _____, 2014.

UNITED STATES MAGISTRATE JUDGE